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2D SESSION

S. 3541

To address the impending humanitarian crisis and potential security breakdown as a result of the mass influx of Iraqi refugees into neighboring countries, and the growing internally displaced population in Iraq, by increasing directed accountable assistance to these populations and their host countries, facilitating the resettlement of Iraqis at risk, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23 (legislative day, SEPTEMBER 17), 2008

Mrs. CLINTON introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To address the impending humanitarian crisis and potential security breakdown as a result of the mass influx of Iraqi refugees into neighboring countries, and the growing internally displaced population in Iraq, by increasing directed accountable assistance to these populations and their host countries, facilitating the resettlement of Iraqis at risk, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Iraqi Refugee and Internally Displaced Persons Humanitarian Assistance, Resettlement, and Security Act of
4 2008”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings.
- Sec. 4. Sense of Congress.
- Sec. 5. Statements of policy.
- Sec. 6. Humanitarian assistance for vulnerable populations in Iraq and Iraqi refugees.
- Sec. 7. Iraqi refugee admissions and processing.
- Sec. 8. International cooperation.
- Sec. 9. Reports to Congress.

8 **SEC. 2. DEFINITIONS.**

9 In this Act:

10 (1) IDPs.—The term “IDPs” means internally
11 displaced people in Iraq.

12 (2) UNHCR.—The term “UNHCR” means the
13 Office of the United Nations High Commissioner for
14 Refugees.

15 (3) VULNERABLE POPULATIONS IN IRAQ.—The
16 term “vulnerable populations in Iraq” includes
17 IDPs, Iraqis from ethnically mixed families, women
18 at risk, unaccompanied children and adolescents, the
19 elderly, Iraqis with serious medical needs, survivors
20 of violence or torture, Iraqis who are members of religious or other minority groups, including Chaldo

1 Assyrian Christians, Sabian Mandaens, Yazidis,
2 Jews, and Baha'is, and any other group determined
3 to vulnerable by the Secretary of State in consulta-
4 tion with the UNHCR.

5 **SEC. 3. FINDINGS.**

6 Congress finds the following:

7 (1) Since the beginning of the war in Iraq, ac-
8 cording to the UNHCR, more than 2,000,000 Iraqis
9 have fled their homes for neighboring countries to
10 avoid sectarian and other violence.

11 (2) According to the UNHCR, there are more
12 than 2,700,000 IDPs, many lacking adequate food,
13 shelter, and other basic services.

14 (3) The security situation in several locations
15 within Iraq reduces access to the Iraqi population by
16 Iraqi Government agencies and humanitarian aid
17 providers and greatly limits the provision of aid.

18 (4) The Iraq Study group predicted that “[a]
19 humanitarian catastrophe could follow as more refu-
20 gees are forced to relocate across the country and
21 the region.”.

22 (5) The dispersion of Iraqi refugees in poor
23 urban areas of host countries makes it exceedingly
24 difficult for humanitarian agencies to identify and
25 reach these populations.

1 (6) Many Iraqis have put their lives and those
2 of their families at risk by working for the United
3 States Government, United States corporations, the
4 United States media, and nongovernmental organi-
5 zations.

6 (7) Since March 2003, the United States has
7 resettled less than 20,000 Iraqi refugees, while Jor-
8 dan and Syria have provided temporary asylum to
9 2,000,000 Iraqis, and other countries neighboring
10 Iraq have received tens of thousands more Iraqis.

11 (8) Since March 2003, Sweden has accepted
12 40,000 Iraqi refugees, and Denmark evacuated and
13 resettled 370 Iraqi interpreters and other Iraqis who
14 worked for Danish troops prior to the Danish con-
15 tingent's departure from Iraq in 2007.

16 (9) Current United States policies governing
17 the processing of refugees constrain United States
18 Government agencies from expediting the screening
19 processes and increasing the number of Iraqis ac-
20 cepted into the United States.

21 (10) The massive flow of Iraqi refugees into
22 neighboring host countries has overwhelmed existing
23 social, economic, and security capacities of such
24 countries.

1 (11) While Iraqi refugees and IDPs are dis-
2 proportionately made up of vulnerable populations,
3 many other segments of the Iraqi population at large
4 are also vulnerable.

5 (12) Increasing poverty and despair among dis-
6 placed populations may provide fertile ground for ex-
7 tremist ideologies to take root and possible recruit-
8 ment by extremist groups.

9 (13) The humanitarian crisis in Iraq and neigh-
10 boring countries threatens to destabilize the entire
11 region.

12 (14) United States policy is to admit at least
13 50 percent of the refugees referred by the UNHCR.
14 In 2007, the UNHCR referred more than 10,000
15 cases to the United States, and the United States
16 resettled 1,608 Iraqi refugees. The United States
17 has pledged to admit 12,000 Iraqi refugees during
18 2008.

19 (15) During 2008, the Government of Iraq has
20 dedicated \$18,000,000 to its Ministry of Displaced
21 and Immigration and offered \$25,000,000 to neigh-
22 boring countries hosting Iraqi refugees, even as the
23 Government of Iraq is predicting it will likely gen-
24 erate more than \$32,000,000,000 in oil revenues
25 during 2008 alone.

1 (16) The United States has yet to disclose a
2 long-term comprehensive strategy to address human-
3 itarian and security crisis related to Iraqi refugees.

4 **SEC. 4. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) Iraqi refugees and IDPs will have an impact
7 on the security of the region and the short- and
8 long-term effects of their displacement should be
9 considered within overall United States toward Iraq
10 policy and be addressed at the highest levels of Gov-
11 ernment;

12 (2) it is in the United States humanitarian and
13 national interests to demonstrate the United States
14 commitment to resettle Iraqi refugees and IDPs and
15 the United States should work with other govern-
16 ments, including the member states of the Organiza-
17 tion for Security and Cooperation in Europe, to en-
18 courage such governments to do the same; and

19 (3) the United States should express its grati-
20 tude and support to host countries for providing hu-
21 manitarian assistance to Iraqi refugees and to coun-
22 tries that have already resettled Iraqi refugees.

23 **SEC. 5. STATEMENTS OF POLICY.**

24 The policy of the United States shall be the following:

1 (1) To lead an initiative to provide for the relief
2 of vulnerable populations in Iraq and Iraqi refugees
3 in neighboring countries and to take the lead in
4 funding assistance requests from the UNHCR, other
5 humanitarian agencies, and international organiza-
6 tions by funding at levels well above the traditional
7 United States share, and to assist in the resettlement
8 of Iraqi refugees.

9 (2) To develop immediately a long-term comprehensive
10 strategy for Iraq in coordination with the
11 Government of Iraq and host countries, the United
12 Nations, and nongovernmental organizations to meet
13 the humanitarian and security needs of Iraqi refugees
14 and IDPs and to establish within the Executive
15 Office of the President a Special Coordinator for
16 Iraqi Refugees and Internally Displaced Persons to
17 ensure expeditious and effective implementation of
18 such a strategy.

19 (3) To work with the Government of Iraq, the
20 United Nations, and nongovernmental organizations
21 to help the Government of Iraq improve its capacity
22 and ability to provide relief for vulnerable populations
23 in Iraq in all communities throughout Iraq
24 and to provide assistance to Iraqi refugees in neighboring
25 countries.

1 (4) To commit to working with international
2 partners, including the United Nations, donor coun-
3 tries, international financial institutions, inter-
4 national and indigenous nongovernmental organiza-
5 tions, and other international organizations to assist
6 in providing for the emergency, medium-, and long-
7 term humanitarian needs of vulnerable populations
8 in Iraq and Iraqi refugees in neighboring countries.

9 **SEC. 6. HUMANITARIAN ASSISTANCE FOR VULNERABLE**
10 **POPULATIONS IN IRAQ AND IRAQI REFU-**
11 **GEES.**

12 (a) IN GENERAL.—With respect to vulnerable popu-
13 lations in Iraq and with respect to each country containing
14 a significant population of Iraqi refugees, including Jor-
15 dan, Syria, Turkey, Lebanon, Egypt, and Iran, the Sec-
16 retary of State shall provide bilateral assistance to such
17 countries, as appropriate under United States law, or
18 funding to international organizations and nongovern-
19 mental organizations in accordance with subsection (b)
20 that are working to provide humanitarian assistance, in-
21 cluding adequate food, shelter, clean drinking water, sani-
22 tation, health care, education, and protection to such refu-
23 gees or populations.

24 (b) ASSISTANCE AND FUNDING.—Assistance and
25 funding under subsection (a) shall be in the form of—

1 (1) contributions to the UNHCR that are not
2 less than 50 percent of the amount requested by the
3 UNHCR and other international organizations pro-
4 viding humanitarian assistance to vulnerable popu-
5 lations in Iraq and to Iraqi refugees in neighboring
6 countries, for 2008, 2009, and 2010 for aid to such
7 populations and refugees;

8 (2) contributions to the International Federa-
9 tion of the Red Cross and Red Crescent, other non-
10 governmental organizations, and other international
11 organizations working in such countries to provide
12 aid to vulnerable populations in Iraq and to Iraqi
13 refugees in neighboring countries; and

14 (3) technical assistance to relevant ministries of
15 the Government of Iraq, contingent on substantially
16 increased Government of Iraq funding of assistance
17 programs for vulnerable populations in Iraq and for
18 Iraqi refugees in neighboring countries, together
19 with appropriate monitoring mechanisms.

20 (c) SPECIAL PROVISIONS RELATING TO VULNER-
21 ABLE POPULATIONS IN IRAQ AND IRAQI REFUGEES.—The
22 Secretary of State shall make every effort to ensure that
23 the humanitarian needs of vulnerable populations in Iraq
24 and Iraqi refugees in neighboring countries are met, in-
25 cluding increased resources to improve the registration ca-

1 pabilities of nongovernmental organizations for such vul-
 2 nerable populations and such refugees, adequate food,
 3 shelter, clean drinking water, sanitation, health care, edu-
 4 cation, and protection.

5 (d) AUTHORIZATIONS OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There is authorized to be
 7 appropriated \$700,000,000 for each of fiscal years
 8 2009, 2010, and 2011 to carry out this section.
 9 Amounts appropriated pursuant to this authoriza-
 10 tion shall be in addition to amounts otherwise avail-
 11 able for such purposes.

12 (2) FOR JORDAN.—

13 (A) IN GENERAL.—In addition to amounts
 14 authorized to be appropriated pursuant to para-
 15 graph (1), there is authorized to be appro-
 16 priated \$500,000,000 for fiscal year 2009 to
 17 Jordan to provide humanitarian assistance to
 18 Iraqi refugees and to provide the necessary in-
 19 frastructure to support both the needs of Iraqi
 20 refugees and the Jordanian people, such as for
 21 housing, educational facilities, health clinics,
 22 improved access to water resources and sanita-
 23 tion facilities and related social services.

24 (B) COOPERATION AND MONITORING.—In
 25 cooperation with the Government of Jordan, the

1 President shall establish appropriate monitoring
2 and transparency mechanisms to ensure that
3 funds appropriated pursuant to the authoriza-
4 tion of appropriations in subparagraph (A) are
5 effectively administered.

6 **SEC. 7. IRAQI REFUGEE ADMISSIONS AND PROCESSING.**

7 (a) **NUMERICAL LIMITATIONS.**—In addition to the
8 numerical limitations provided for under subsections (a)
9 and (b) of section 207 of the Immigration and Nationality
10 Act (8 U.S.C. 1157), the number of refugees who may
11 be admitted during fiscal years 2009, 2010, and 2011
12 under subsection (c) of such section shall be increased by
13 not fewer than 20,000 for the purpose of admitting refu-
14 gees who—

15 (1) are citizens or nationals of Iraq; and
16 (2) became refugees on or after March 19,
17 2003.

18 (b) **PROCESSING PERSONNEL INCREASE.**—Not later
19 than September 30, 2009, the Secretary of State, in co-
20 ordination with the Secretary of Homeland Security, shall,
21 subject to the availability of appropriations for such pur-
22 pose, have increased by 100 percent the number of Fed-
23 eral personnel in Iraq (and in other countries in the re-
24 gion, where appropriate) who are conducting security re-
25 views of Iraqis who have applied for admission to the

1 United States as refugees above the number of such per-
2 sonnel conducting such reviews on the date of the enact-
3 ment of this Act.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated such sums as may be
6 necessary for fiscal years 2009 through 2011 to carry out
7 this section.

8 **SEC. 8. INTERNATIONAL COOPERATION.**

9 The Secretary of State, in cooperation with the Sec-
10 retary of Homeland Security, shall work with the inter-
11 national community, including the United Nations, the
12 Organization for Security and Cooperation in Europe, the
13 European Union, the Gulf Cooperation Council, the Arab
14 League, the Organization of American States, the Associa-
15 tion of Southeast Asian Nations, and others to establish
16 mechanisms to provide—

17 (1) financial assistance to vulnerable popu-
18 lations in Iraq and to Iraqi refugees in neighboring
19 countries through bilateral assistance to host govern-
20 ments or through international organizations that
21 are working directly with such populations and such
22 refugees;

23 (2) technical and financial assistance to inter-
24 national organizations in order to process refugees;
25 and

1 (3) increased attention to and advocacy on be-
2 half of vulnerable populations in Iraq and Iraqi refu-
3 gees in neighboring countries by continuing to
4 strongly support the work of United Nations agen-
5 cies and international organizations providing pro-
6 tection and assistance.

7 **SEC. 9. REPORTS TO CONGRESS.**

8 Not later than 180 days after the date of the enact-
9 ment of this Act, and every 6 months thereafter, the Sec-
10 retary of State and the Secretary of Homeland Security
11 shall submit to the Committee on Foreign Relations of the
12 Senate and the Committee on Foreign Affairs of the
13 House of Representatives a report on the implementation
14 of this Act, including—

15 (1) information concerning assistance and fund-
16 ing to host countries and international organizations
17 and nongovernmental organizations pursuant to sec-
18 tion 6, and accountability reports regarding the ex-
19 penditure of such funds;

20 (2) information concerning measures taken by
21 the United States to increase its capabilities to proc-
22 ess IDPs and Iraqi refugees for resettlement and the
23 number of such IDPs and refugees resettled under
24 section 7;

1 (3) an evaluation of the effectiveness of meas-
2 ures implemented by agencies of the Government of
3 Iraq to provide direct assistance to vulnerable popu-
4 lations in Iraq and Iraqi refugees in neighboring
5 countries; and

6 (4) information concerning progress on the im-
7 plementation of the long-term comprehensive strat-
8 egy described in section 5(2).

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